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6 **UNITED STATES BANKRUPTCY COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**

9
10 In re
11 PROFESSIONAL FINANCIAL
12 INVESTORS, INC., *et al*,
13 Debtors.

Case No. 20-03064
(Jointly Administered)

Chapter 11

14 MICHAEL GOLDBERG,
15 TRUSTEE OF THE PFI TRUST,

Plaintiff,

16 v.

17 US PERFORMING ARTS CAMPS,

18 Defendant.

AP Case No. 22-03085

**DECLARATION OF MATTHEW D.
METZGER IN SUPPORT OF
MOTION FOR ORDER AUTHORIZING
WITHDRAWAL OF COUNSEL**

Date: [No Hearing unless Timely Objection]
Time:

Place: Telephonic/ Videoconference
Courtroom 19
450 Golden Gate Avenue
16th Floor
San Francisco, CA
Judge: Hon. Hannah L. Blumenstiel

23 I, Matthew D. Metzger, declare as follows:

24 1. I am principal at Belvedere Legal, PC (the “Firm”) and counsel for the above-
25 captioned Defendant (the “Defendant”). I make this declaration in support of the *Motion for*
26 *Order Authorizing Withdrawal of Counsel*. The matters stated below are made and based upon

1 my personal knowledge, except for those matters stated upon information and belief, and as to
2 those matters, I believe them to be true. If called as a witness, I could and would testify as follows.

3 2. Rule 1.16(b)(5) of the California Rules of Professional Conduct provide that a
4 lawyer may withdraw from representing a client if “the client breaches a material term of an
5 agreement with, or obligation, to the lawyer relating to the representation, and the lawyer has
6 given the client a reasonable warning after the breach that the lawyer will withdraw unless
7 the client fulfills the agreement or performs the obligation”

8 || 3. Here, the Defendant has not paid invoices for legal services.

9 4. It appears that the Defendant also is unable to pay a future retainer to reimburse the
10 Firm for future time and expenses necessary for trial preparation.

11 5. The Firm cannot prepare for trial or dispositive motion work if the Firm is not paid
12 for legal services.

13 6. A pre-trial conference is scheduled for December 7, 2023 and trial is scheduled for
14 December 22, 2023. Dkt. # 12.

15 7. I am filing the motion to withdraw as counsel in August 2023 to allow the
16 Defendant as much as time as possible to locate replacement counsel.

17 8. The Defendant's registered address with the California Secretary of State and
18 current contact information via phone and email is below:

22 9. The Firm returned the Defendant's digital case file as well as a copy of Court's
23 February 15, 2023 Court's Trial Scheduling Order to the Defendant via US Mail and e-mail.

24 I declare under penalty of perjury under the laws of the United States of America that the
25 foregoing is true and correct.

26 Executed August 4, 2023 at San Mateo,
27 California

/s/ Matthew D. Metzger
Matthew D. Metzger